

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

OLDCASTLE PRECAST, INC.,

Plaintiff,

v.

VPMC, LTD,
JOSEPH R. GAMBONE, JR.,
MICHAEL A. GAMBONE,
AUDREY GAMBONE, co-executor of the
ESTATE OF ANTHONY R. GAMBONE,
SR., MICHAEL A. GAMBONE,
co-executor of the ESTATE OF
ANTHONY R. GAMBONE, SR.,
GEORGE J. FALCONERO, co-executor
of the ESTATE OF ANTHONY
GAMBONE, SR., SANDRA LEE
GAMBONE, co-executor of the ESTATE
OF ANTHONY GAMBONE, SR., and
SHARON ANAPOSIKY, co-executor of
the ESTATE OF JOHN GAMBONE, SR.,

Defendants.

CIVIL ACTION

No. 12-6270

ORDER

AND NOW, this 13th day of September, 2013, upon consideration of Defendants, VPMC, Ltd., Joseph R. Gambone, Jr., Michael A. Gambone, Audrey Gambone, George J. Falconero, Sandra Lee Gambone, and Sharon Anaposiky's (collectively, "Defendants"), Renewed Motion to Dismiss (Doc. No. 25), and Plaintiff, Oldcastle Precast, Inc.'s ("Oldcastle"), Response, it is hereby **ORDERED** that said Motion is **GRANTED** in part and **DENIED** in part as follows:

1. The Motion is **DENIED** as to the dismissal of the action; and
2. The Motion is **GRANTED** as to Defendants' request that Ridgewood, Inc.

(“Ridgewood”) and Gambone Development Company (“GDC”) be determined to be “indispensable” parties under Rule 19 of the Federal Rules of Civil Procedure.

It is **FURTHER ORDERED** that, within fourteen (14) days from the date of this Order, Oldcastle shall file an Amended Complaint adding Ridgewood and GDC as Defendants in this action.

BY THE COURT:

/s/ Robert F. Kelly
ROBERT F. KELLY
SENIOR JUDGE